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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,478	09/15/2003	Rakesh Tuli	Q-75484	9837
23373	7590	08/22/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			JOIKE, MICHELE K	
			ART UNIT	PAPER NUMBER
			1636	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10-661 478

EXAMINER
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ART UNIT	PAPER
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20060807

DATE MAILED:

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**Commissioner for Patents**

See attached.

Art Unit: 1636

***Response to Restriction Requirement***

The reply filed on June 19, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): In response to the restriction requirement, Applicants elected Group I, claims 20, 21, 26, 29 and 47 and SEQ ID NO: 7. However, Group I included the combination of sequences, SEQ ID NO: 7, 18, 5, 2, 12, 4, 13, 14, 16, comprising a synthetic promoter. It is unclear whether Applicants are choosing only SEQ ID NO: 7 to be examined, or whether Applicants intended for the entire combination of sequences (SEQ ID NO: 7, 18, 5, 2, 12, 4, 13, 14, 16) to be examined. See 37 CFR 1.111.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michele K. Joike, Ph.D. whose telephone number is 571-272-5915. The examiner can normally be reached on M-F, 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Irem Yucel, Ph.D. can be reached on 571-272-0781. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michele K Joike, Ph.D.  
Examiner  
Art Unit 1636

  
DAVID GUZO  
PRIMARY EXAMINER